

Will the broadcast flag interfere with consumers ability to make copies of DTV content for their personal use, either on personal video recorders or removable media?

Yes, this will interfere with fair use of material.

This rule would make it illegal to even observe radio waves propagating through the atmosphere without the presence of copyright protection equipment, digital handcuffs to make sure a viewer doesn't use the material contrary to the entertainment industry's desires. There is NO precedent for this kind of restriction.

Would the digital flag interfere with consumers ability to send DTV content across networks, such as home digital networks connecting digital set top boxes, digital recorders, digital servers and digital display devices? With the digital flag in place, yes. However, it is likely that many people will devise ways to circumvent the flag, as happened with the CSS encryption scheme of the DVD media format. This will criminalize perfectly legitimate use of media.

There will be a black market in flag removal devices, just as there is a black market for cable descramblers.

Would the broadcast flag requirement limit consumers ability to use their existing electronic equipment (equipment not built to look for the flag) or make it difficult to use older components with new equipment that is compliant with the broadcast flag standard?

I can foresee compatibility issues between restricted equipment and non-restricted equipment.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?

One of the best new innovations in television is the Personal Video Recorder, PVR. This is a consumer-friendly device that offers much greater flexibility than standard VCR devices. The broadcast industry was generally opposed to PVR technology, and the industry would almost certainly use such a flag to impede such innovations in the future.

Remember that the entertainment industry tried to kill VCR's as copyright violation devices when they first came out. Likewise with broadcast radio. And yet now there is a VCR in nearly every household and a radio receiver in every car. Imposing legislation to restrict the development of consumer-friendly technologies is a BAD idea.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?

Probably a few dollars per device.

I will not spend my hard-earned income to pay for technology to restrict what I can do with my equipment. I have no desire to infringe copyrights, but I will not put on a pair of digital handcuffs to assure the entertainment industry of my motives.

Other Comments:

Although this may seem like a logical proposal for protecting intellectual property, it will have far-reaching consequences and criminalize behavior that is neither morally nor ethically wrong. This proposal has no precedent, and is little more than a power grab by the entertainment

industry. It will create a black market in circumvention equipment, and it will do nothing to stop serious pirates.